



**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

In re:

FALLS VIEW APARTMENTS, L.L.C.,

Debtor.

Chapter 11


Order Filed on November 13, 2015
by Clerk

Case No. 15-28841 (RG)
U.S. Bankruptcy Court
District of New Jersey

**ORDER WITH RESPECT TO
(A) MOTION OF ARTEMIS REALTY, LLC FOR
(I) DISMISSAL OF CASE PURSUANT TO BANKRUPTCY CODE § 1112(b) OR
IN THE ALTERNATIVE (II) RELIEF FROM THE AUTOMATIC STAY
PURSUANT TO BANKRUPTCY CODE § 362(d)(1); AND
(B) NOTICE OF MISSING DOCUMENTS AND NOTICE OF
DISMISSAL IF DOCUMENTS ARE NOT TIMELY FILED**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: November 13, 2015


Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Falls View Apartments, L.L.C.

Case No.: 15-28841 (RG)

Caption of Order: Order With Respect to (A) Motion of Artemis Realty, LLC for (I) Dismissal of Case Pursuant to Bankruptcy Code § 1112(b) or in the Alternative (II) Relief from the Automatic Stay Pursuant to Bankruptcy Code § 362(d)(1); and (B) Notice of Missing Documents and Notice of Dismissal if Documents are Not Timely Filed

This matter having been brought before the Court on motion (the “Dismissal Motion”) of Artemis Realty, LLC (“Artemis”), a secured creditor herein, for entry of an Order dismissing the captioned bankruptcy case of Falls View Apartments, L.L.C. (the “Debtor”) pursuant to 11 U.S.C. § 1112(b), or, in the alternative, terminating the automatic stay pursuant to 11 U.S.C. § 362(d)(1) as to the Debtor’s real property known as 1-7 Wayne Avenue, Paterson, New Jersey (the “Mortgaged Property”); and upon the opposition of the Debtor to the Dismissal Motion, filed with the Court on November 9, 2015; and upon the notice of dismissal (the “Dismissal Notice”) of the captioned bankruptcy case filed on October 6, 2015 by the Clerk of the Court for the Debtor’s failure to file certain required schedules and documents; and upon the opposition of the Debtor to the Dismissal Notice, filed with the Court on October 16, 2015, and the response of Artemis to such opposition, dated November 6, 2015; and the Court having reviewed the pleadings and documents filed in this matter and having heard the arguments of counsel on November 10, 2015; and for good cause shown, it is hereby

ORDERED, that the automatic stay under 11 U.S.C. § 362(b) herein, to the extent that it applies, is hereby vacated with respect to all parties as to the civil action currently pending in the Superior Court of New Jersey, Law Division, Passaic County (the “State Court”), under Docket Number PAS-L-1362-2014 (the “State Court Action”), and all parties may litigate any dispute before the State Court that is directly related to the State Court Action; and it is further

ORDERED, that pursuant to 11 U.S.C. § 543(d)(1), Agustin Morato (the “Property Manager”), the property manager appointed pursuant to an Order of the State Court dated

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Debtor: Falls View Apartments, L.L.C.

Case No.: 15-28841 (RG)

Caption of Order: Order With Respect to (A) Motion of Artemis Realty, LLC for (I) Dismissal of Case Pursuant to Bankruptcy Code § 1112(b) or in the Alternative (II) Relief from the Automatic Stay Pursuant to Bankruptcy Code § 362(d)(1); and (B) Notice of Missing Documents and Notice of Dismissal if Documents are Not Timely Filed

September 19, 2014 (the “Property Manager Order”) to manage the Mortgaged Property, is hereby excused from compliance with all aspects of 11 U.S.C. §§ 543(a), (b)(1), and (c), and may continue his duties as Property Manager in accordance with the Property Manager Order; and it is further

ORDERED, that in accordance with 11 U.S.C. § 543(b)(2), the Property Manager shall provide an accounting to the Court of any property of the Debtor, or proceeds, product, offspring, rents or profits of such property, that at any time, came into the possession, custody, or control of the Property Manager; and it is further

ORDERED, that the Debtor shall file (i) all missing schedules and documents as set forth in the Dismissal Notice, and (ii) an amended List of Equity Security Holders, by no later than November 17, 2015, and shall serve such documents so that they are received by counsel for Artemis and the Office of the United States Trustee by no later than November 17, 2015; and it is further

ORDERED, that the Debtor shall file an application to retain counsel, and serve such application so that it is received by counsel for Artemis and the Office of the United States Trustee by no later than November 24, 2015; and it is further

ORDERED, that if the Debtor fails to comply with any deadlines set forth herein, the captioned bankruptcy case shall be dismissed by the Court upon a filing of a certification by counsel for Artemis or the Office of the United States Trustee stating that the Debtor had failed to comply with the respective deadline; and it is further

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Debtor: Falls View Apartments, L.L.C.

Case No.: 15-28841 (RG)

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ORDERED, that a final hearing on the Dismissal Motion shall be held before the Court on November 18, 2015 at 2:00 p.m.